

NOTICE OF ASSESSMENT LIEN SALE

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 12th day of December, 2013, a Notice of Lien was filed of record as Document No. 20131212001634410, in the Official Public Records of Collin County, Texas, covering the real property herein described, concerning default in payment of the indebtedness owing by **JAMES E. AMBROSE and DAWN M. AMBROSE**, the present owners of said real property, to Glendover Park Owner's Association, Inc. (the "Association"); and

WHEREAS, on February 8, 2016, the Association obtained an Order to Proceed With Notice of Foreclosure Sale and Foreclosure Sale in the 401st Judicial District Court of Collin County, Texas, in Cause No. 401-03750-2015. A true and correct copy of said Order is attached hereto as Exhibit "A" and made a part hereof for all purposes; and

WHEREAS, the said **JAMES E. AMBROSE and DAWN M. AMBROSE** have continued to default in the payment of their indebtedness to the Association and the same is now wholly due, and the Association, acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owner to the Association.

NOW, THEREFORE, notice is hereby given that on Tuesday, the 1st day of November, 2016, between 10:00 o'clock a.m. and 4:00 o'clock p.m., the Association will sell said real estate at the southwest entrance of the Jack Hatchell Collin County Administration Building, located at 2300 Bloomdale Road, McKinney, Collin County, Texas 75071, to the highest bidder for cash, subject to all superior liens and encumbrances of record. The earliest time at which said sale will begin will be 11:00 o'clock a.m., and the sale will take place not later than three (3) hours after that time.

Said real estate is described as follows:

**SEE EXHIBIT "B" ATTACHED HERETO AND
MADE A PART HEREOF FOR ALL PURPOSES.**

Witness my hand this 7th day of October, 2016.

**GLENDOVER PARK OWNER'S
ASSOCIATION, INC.**

By: _____

Robert M. Blend
Duly Authorized Agent
14131 Midway Road, Suite 1240
Addison, Texas 75001

ED
AM 11:49
TEMP
CLERK
Y. TEXAS
DEPUTY

This notice was posted by me on the 7th day of October, 2016, at the Collin County Courthouse, 2300 Bloomdale Road in McKinney, Texas.

COLLIN COUNTY, TEXAS
CLERK
JULY 1, 2016

2016 OCT -7 AM 11:50

FILED

SIGNATURE

Print Name

EXHIBIT "A"

CAUSE NO. 401-03750-2015

IN RE: ORDER OF FORECLOSURE CONCERNING	§	IN THE DISTRICT OF
	§	
	§	
TX: 1404 Sunderland Court	§	
Allen, Texas	§	COLLIN COUNTY, TEXAS
	§	
UNDER TEX. R. CIV. P. 736	§	
	§	
JAMES E. AMBROSE and	§	
DAWN M. AMBROSE	§	401 st JUDICIAL DISTRICT

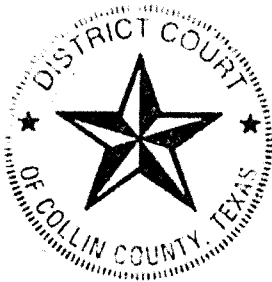
**AGREED ORDER TO PROCEED WITH
NOTICE OF FORECLOSURE SALE AND FORECLOSURE SALE**

On this day, the 08 of February, 2016, came on to be considered the Application of Glendover Park Owner’s Association, Inc. (the “Association”) for Expedited Foreclosure Proceeding seeking an order against James E. Ambrose and Dawn M. Ambrose, (the “Respondents”), pursuant to Rule 736 of the Texas Rules of Civil Procedure to foreclose the Association’s assessment lien against 1404 Sunderland Court, Allen, Texas 75013, which is more particularly described as follows:

LOT 3 IN BLOCK E OF GLENDOVER PARK, PHASE I, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ACCORDING TO THE, MAP THEREOF RECORDED IN VOLUME K, PAGE 125 OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS, and having the street address of 1404 Sunderland Court, Allen, Texas.

The Court finds that the Association’s Application for Foreclosure complies with Rule 736.1 of the Tex. R. Civ. Proc. and was properly served in accordance with Rule 736.4 of the Tex. R. Civ. Proc. The Court further finds that Respondents have filed a response, and the return of service has been on file with the clerk of the Court for at least 10 days before the date of this Order. The Court finds that the names and last known address of the Respondents is as follows:

James E. Ambrose



Dawn M. Ambrose
1404 Sunderland Court
Allen, Texas 75013

Pursuant to Rule 736.7 of the Tex. R. Civ. Proc., all facts alleged in the Application for Foreclosure and supported by the affidavit of material facts constitute prima facie evidence of the truth of the matters alleged.

The Court further finds as follows:

1. This proceeding is brought in the county in which all or part of the real property encumbered by the lien sought to be foreclosed is located.
2. The Association is governed by the Declaration of Covenants, Conditions and Restrictions for Glendover Park (the "Declaration"), as such may be corrected and/or supplemented from time to time.
3. The Property is subject to and governed by the Declaration.
4. By virtue of Respondents' acquisition of the Property, Respondents agreed to and became obligated by the Declaration to pay to the Association all assessments for the expense of administration, maintenance, upkeep and repair of the Community as assessed in accordance with the Declaration, as more particularly shown in Articles 7 and 8 of the Declaration.
5. During the period of Respondents' ownership, Respondents have been assessed maintenance fees in a non-discriminatory manner based on Respondents' ownership of the Property.
6. As of July 1, 2015, Respondents are at least 42 months in default in their obligations to the Association for a total of Two Thousand Eight Hundred Fifty and 44/100 Dollars (\$2,850.44).
7. Articles 7 and 8 of the Declaration creates an assessment lien against the Property to secure payment of assessments and other charges to the Association. Articles 7 and 8 of the Declaration provide that the Association may foreclose its assessment lien by appropriate judicial or non-judicial proceedings.
8. The foreclosure of such lien is subject to the provisions of Tex. R. Civ. Proc. 735.1(c) and Texas Property Code 209.0092.
9. Articles 7 and 8 of the Declaration, and Texas Property Code 5.006, provide for the recovery of attorney's fees and expenses incurred in the collection of delinquent assessments.

**AGREED ORDER TO PROCEED WITH NOTICE OF
FORECLOSURE SALE AND FORECLOSURE SALE - Page 2**



10. The Association afforded Respondents thirty (30) days to cure the default pursuant to the June 17, 2013, letter and such opportunity to cure the default has expired.
11. Respondents have been notified of the amounts due and unpaid by notice letter dated September 5, 2013.
12. A Notice of Lien was filed in the office of the County Clerk of Collin County Texas at Instrument No. 20131212001634410, and Respondents were notified of such filing by letter dated December 10, 2013.
13. The Respondents were sent a final letter dated October 31, 2014.
14. Prior to filing the Application, the Association performed all action required under applicable law and the terms of the Declaration required prior to foreclosing the Association's assessment lien against the Property.

THE COURT THEREFORE GRANTS the Association's Application for Foreclosure under Tex. R. Civ. Proc. 736.

IT IS THEREFORE ORDERED that the Association may proceed with a foreclosure of its assessment lien on the Property under the terms of the Declaration and Section 51.002 of the Texas Property Code; and

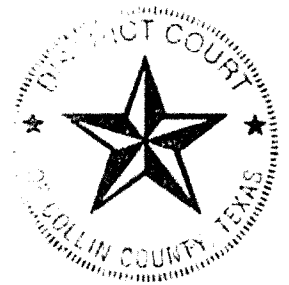
IT IS FURTHER ORDERED that the Association shall send Respondents a copy of this Order with the notice of foreclosure sale sent to Respondents; and

IT IS FURTHER ORDERED that the Association may communicate with Respondent and all third parties as may be reasonably necessary to conduct the foreclosure sale of the Property. This order is not subject to a motion for rehearing, new trial, bill of review, or appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED on this 08 day of February, 2016.


JUDGE PRESIDING

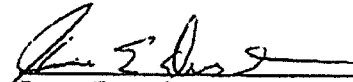
AGREED ORDER TO PROCEED WITH NOTICE OF
FORECLOSURE SALE AND FORECLOSURE SALE - Page 3

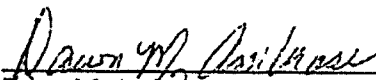


Approved:

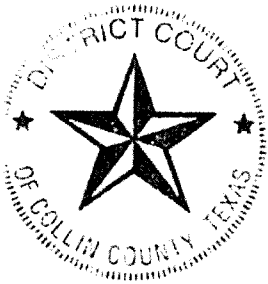
/s/ Robert M. Blend
Robert M. Blend
Attorney for Petitioner

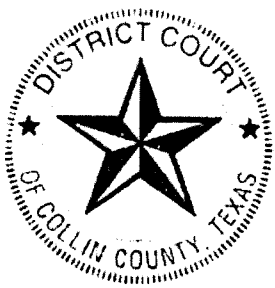
RESPONDENTS

By: 
James E. Ambrose
1404 Sunderland Court
Allen, Texas 75013


Dawn M. Ambrose
1404 Sunderland Court
Allen, Texas 75013

AGREED ORDER TO PROCEED WITH NOTICE OF
FORECLOSURE SALE AND FORECLOSURE SALE - Page 4





STATE OF TEXAS)
COUNTY OF COLLIN)

I, Yoon Kim, District Clerk in and for Collin County Texas,
do hereby certify that the above foregoing is a true and correct copy of the
original document as the same appears on the file in the District Court,
Collin County, Texas. Witness my hand and seal of said Court, this
25th day of Feb., 2016

YOON KIM, DISTRICT CLERK
COLLIN COUNTY, TEXAS


 DEPUTY

EXHIBIT "B"

BEING LOT 3 IN BLOCK E OF GLENDOVER PARK, PHASE I, AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ACCORDING TO THE , MAP THEREOF RECORDED IN VOLUME K, PAGE 125 OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS, and having the street address of 1404 Sunderland Court, Allen, Texas.